

APPLICATION FOR PERMISSION TO CHANGE PLACE OF DIVERSION.  
OF WATERS OF HUMBOLDT RIVER.

Filed NOV 10 1910

To The State Engineer of the State of Nevada:

The Application of L. N. Carpenter for permission to change the place of diversion of waters of Humboldt River, respectfully shows:

1.--That the name of the Applicant is L. N. Carpenter, and the Post Office address of this Applicant in the said State of Nevada is Lovelock County of Humboldt.

2.-- That this applicant is the owner in fee simple and is in the possession of those certain pieces or parcels of land situate, lying and being in the said County of Humboldt, particularly described as follows:

Section one (1); Section two (2); the west half ( $W\frac{1}{2}$ ) of the west half ( $W\frac{1}{2}$ ) of Section 10; and Section twenty-seven (27); all in Township twenty-six (26) North, Range thirty-one (31) East, Mount Diablo Base and Meridian. Also the East half ( $E\frac{1}{2}$ ) of the Northwest quarter ( $NW\frac{1}{4}$ ) and the West half ( $W\frac{1}{2}$ ) of the Southwest quarter ( $SW\frac{1}{4}$ ) of Section thirty-five, Township twenty-seven (27) North, Range thirty-one East, Mount Diablo Base and Meridian.

3.----- That the said pieces or parcels of land are adjacent or contiguous to the said Humboldt River.

4.---That this applicant and his predecessors in interest in the said pieces or parcels of land have appropriated upwards of two thousand (2000) miner's inches, measured under a four inch pressure, of the waters of the said Humboldt River, and have diverted the waters so appropriated by means of dams and ditches from the channel of the said Humboldt River to and upon the said pieces or parcels of land, and during the period of more than forty-seven (47) years last past have used the said waters so appropriated and diverted for domestic purposes, and for the purpose of watering livestock upon, and for the purpose of the irrigation of the said pieces or parcels of land.

5.---That from the year 1885 up to the present year, 1910, the said waters so appropriated and diverted have been diverted by means of a dam commonly known as the "Marker Dam" or "Rodgers Dam," across the said Humboldt River in Section twenty-four (24), Township twenty-seven (27) North, Range thirty-one (31) east, Mount Diablo Base and Meridian, and a ditch commonly known as the "Marker Ditch" or "Rodgers Ditch," having a capacity of ten thousand (10,000) miner's inches, measured under a four inch pressure, running therefrom in a general southwesterly and southerly direction to the said pieces or parcels of land.

6.---That during the early part of the year, 1910, the said "Marker Dam" or "Rodgers Dam" was destroyed, and the site thereof as a dam site was ruined, by the unprecedented high water of the said Humboldt River; that it is consequently necessary to change the said place of diversion to a place in the said Section twenty-four (24) about one thousand six hundred (1600) feet above the site of the said "Marker Dam" or "Rodgers Dam", and to divert the said waters for the purposes aforesaid at the proposed changed place of diversion by means of a new dam across the said Humboldt River and by means of a new ditch leading therefrom and connecting with the said "Marker Ditch" or "Rodgers Ditch" at a point in the said Section twenty-four (24) distant South  $35^{\circ}$  west, four hundred and thirteen (413) feet from the headgate of the said "Marker Ditch" or "Rodgers Ditch"; that the Northwesterly end of the said proposed new dam is at a point near the right or westerly bank of the said Humboldt River, distant south  $51^{\circ} 43'$  west, one thousand eight hundred and eight and five tenths (1808.5) feet from the northeast corner of the said section twenty-four (24); that the southeasterly end of the said proposed new dam is at a point near the left or easterly bank of the said Humboldt River, distant south  $44^{\circ} 55'$  west, one thousand eight hundred and thirty-six and three-tenths (1836.3) feet from the said northeasterly corner of the said Section twenty-four (24); that the head of the said proposed new ditch and the said proposed changed place of diversion is at a point on the left or easterly bank of the said Humboldt River, distant north  $83^{\circ} 17'$  east, one hundred and thirty-five and six-tenths (135.6) feet from the said southeasterly end of the said proposed new dam; and that the said proposed new ditch leading from the head thereof and connecting with the said "Marker Ditch" or "Rodgers Ditch" commence at the head of the said proposed new ditch and the said place of diversion, as aforesaid, and runs thence by

South 8° 14' east, one hundred and ninety-five (195) feet; South 4°37' west, two hundred and ninety-two and three-tenths (292.3) feet; South 48°53' west, three hundred and forty-six and six-tenths (346.6) feet; South 59°33' west, four hundred and seventeen and four-tenths (417.4) feet; and thence south 73°33' west, seven hundred and twenty-eight and two-tenths (728.2) feet to the said point on the said "Marker Ditch" or "Rodgers Ditch", distant south 35° west, four hundred and thirteen (413) feet from the headgate thereof.

Dated this 21st day of October, A.D., 1910.

Compared H. D. Collins  
This Sheet inspected

State Engineer.

PROTESTED Feb. 27- by P. Anker.

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is granted subject to Vested Rights.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed

~~XXXXXXXXXXXXXXXXXXXX~~ ~~XXXXXXXXXXXXXXXXXXXX~~ Second. the amount heretofore appropriated.

Actual construction work shall begin on or before November 10th, 1911.

Proof of commencement of work shall be filed before December 10th, 1911.

Work must be prosecuted with reasonable diligence and be completed on or before May 1st. 1912.

Application of water to beneficial use shall be made on or before  
October 1st. 1912.

Proof of the application of water to beneficial use must be filed with the State Engineer on or before November 1st. 1912.

WITNESS MY HAND AND SEAL this 12th day of October 1911.

*Proof of labor filed* DEC -9 1911

*Map filed*

Proof of beneficial use filed

State Engineer